



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/23/95)

Agency: Public Disclosure Commission

- ☒ **Permanent Rule**
☐ **Emergency Rule**
☐ **Expedited Repeal**

(1) Date of adoption: May 25, 1999

(2) Purpose: The amendment requires more frequent updating of the agency's indexes of public records.

(3) Citation of existing rules affected by this order:

Amended: WAC 390-14-045 Records Index.

(4) Statutory authority for adoption: RCW 42.17.370(1)

Other Authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 99-09-069 on April 19, 1999.

Describe any changes other than editing from proposed to adopted version: None.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____.

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If yes, explain:

(6) Effective date of rule:

Permanent Rules

- ☒ 31 days after filing
☐ Other: *

Emergency Rules

- ☐ Immediately
☐ Later:

* (If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

NAME

Vicki Rippie

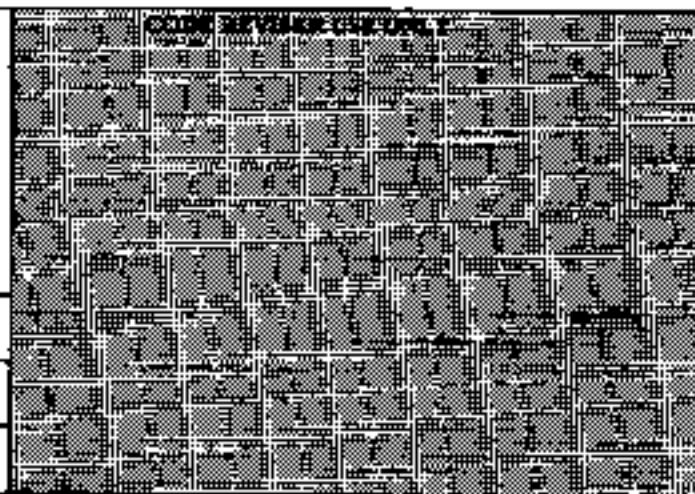
SIGNATURE

TITLE

Assistant Director

DATE

5-26-99



AMENDATORY SECTION (Amending WSR 91-16-072, filed 8/2/91, effective 9/2/91)

WAC 390-14-045 Records index. (1) The commission has established and implemented a system of indexing for the identification and location of the following records:

(a) All records issued before July 1, 1990, for which the commission has maintained an index.

(b) Final adjudicative orders and declaratory orders issued after June 30, 1990, that contain an analysis or decision of substantial importance to the commission in carrying out its duties.

(c) Interpretive and policy statements that were ~~((entered))~~ issued after June 30, 1990.

(2) Final and declaratory orders shall be evaluated by the executive director or executive director's designee. Those orders which are determined to have substantial importance shall be ~~((included in the index))~~ indexed.

(3) Final orders shall be indexed by the name of the person against whom the order was issued ~~((7))~~ and by citation to the law involved.

(4) Declaratory orders shall be indexed by number, subject matter, phrase describing the issue or holding ~~((, or by a))~~ and citation to the law involved.

(5) Interpretive statements and policy statements shall be indexed by number and subject matter ~~((, topic, calendar year, or a combination of these, as appropriate))~~.

(6) The ~~((index is))~~ indexes are available for public inspection and copying ~~((during regular business hours))~~ weekdays, excluding legal holidays, between 8:00 a.m. and 5:00 p.m. at the Public Disclosure Commission, ~~((403 Evergreen Plaza))~~ 711 Capitol Way, Suite 403, Olympia, Washington 98504-0908.

(7) The indexes shall be ~~((kept current and))~~ updated ~~((annually))~~ quarterly.

(j) Short explanation of rule, its purpose, and anticipated effects:

The rule identifies the records that must be indexed as well as what information is to be included in an index. The proposed amendment states that the indexes will be updated quarterly, rather than annually, and provides that the indexes are available for inspection and copying weekdays, excluding legal state holidays, between the hours of 8:00 a.m. and 5:00 p.m.

Does proposal change existing rules: ☒ **YES** ☐ **NO** **If yes, describe changes:**

The only substantive change mandates that indexes of PDC records be updated quarterly. The current rule calls for annual updates.

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ **YES. Attach copy of small business economic impact statement.**
A copy of the statement may be obtained by writing to:

☒ **NO. Explain why no statement was prepared.**

The proposed amendment does not have an economic impact on small businesses.

(l) Does section 201, chapter 403, Laws of 1995, apply to this rule adoption? ☐ **Yes** ☒ **No**
Please explain:

The Public Disclosure Commission is not specified in Section 201, chapter 403, Laws of 1995, as being subject to this section nor has it been brought under the section as otherwise provided in the chapter law.

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